

108TH CONGRESS
2D SESSION

S. RES. 395

To authorize testimony, document production, and legal representation in
Ulysses J. Ward v. Dep't of the Army.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2004

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following resolution;
which was considered and agreed to

RESOLUTION

To authorize testimony, document production, and legal
representation in Ulysses J. Ward v. Dep't of the Army.

Whereas, in the case of Ulysses J. Ward v. Dep't of the
Army, No. AT-0752-04-0526-I-1, pending before the
Merit Systems Protection Board, testimony and docu-
ments have been requested from Joshua Thomas, a
former employee of the Office of Senator Lamar Alex-
ander;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the
Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a)
and 288c(a)(2), the Senate may direct its counsel to rep-
resent employees of the Senate with respect to any sub-
poena, order, or request for testimony relating to their
official responsibilities;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, that Joshua Thomas is authorized to testify
 2 and produce documents in the case of Ulysses J. Ward
 3 v. Dep't of the Army, except concerning matters for which
 4 a privilege should be asserted.

5 SEC. 2. The Senate Legal Counsel is authorized to
 6 represent Joshua Thomas in connection with the testi-
 7 mony authorized in section one of this resolution.

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